

REMARKS/ARGUMENTS

Claims 1-23 are pending, with claims 8-11 and 15-23 withdrawn from consideration. Claims 12-14 have been allowed, claims 4-7 objected to and claims 1-3 rejected in the outstanding Official Action. Applicants have cancelled without prejudice claims 4 and 18-23 and amended claims 1 and 5-7. Accordingly, claims 1-3, and 5-17 remain in this application.

The Examiner's consideration of the amendment previously filed in the application is appreciated. The Examiner's acknowledgment of Applicants' claim for priority and receipt of the certified copy of the priority document is also appreciated. Additionally, the PTO indication of acceptance of the previously filed formal drawings is appreciated.

The Examiner's attachment of PTO Forms 1449 indicating priority submitted with Applicants' previously filed Information Disclosure Statements is appreciated. However, the Patent Office rules provide for the examiner's initialing and dating his consideration of each of these references. Notwithstanding the Examiner's statement that "all references considered except where lined through" at the bottom of each of these pages and the fact that no references have been lined through, compliance with PTO rules requiring the Examiner's initialing of each reference when considered is respectfully requested.

In section 2 on page 2 of the Official Action, the Examiner indicates that claims 18-20 were previously withdrawn from consideration as being drawn to a non-elected invention. However, as pointed out in the previous response, where claims 18 and 20 are generic to all species, they cannot be "drawn to a non-elected invention." However, Applicants have cancelled claims 18-20, thereby mooting the issue.

On page 3, line 2 of the Official Action, the Examiner states “[c]urrently claims 1 and 12 are generic claims to all the species.” This indication is very much appreciated. On page 5, section 13 of the Official Action, the Examiner states “[c]laims 12-14 are allowed.” This indication of allowance is very much appreciated. On page 6, section 14 of the Official Action, the Examiner states that claims 4-7 contain allowable subject matter and would be allowed if rewritten in independent form. This indication of allowance is also appreciated.

In view of the above, Applicants have cancelled without prejudice the subject matter of claim 4 and added the limitations of claim 4 to independent claim 1 placing it in condition for allowance. Inasmuch as claim 1 is now allowable and has been indicated as generic to all the species, claims 1-3 and 5-11, depending therefrom, are in condition for allowance. Claims 12-14 have already been allowed and therefore the only claims remaining in the application are claims 15-17. While the Examiner contends that claims 15-17 are to a different species, in view of the allowance of two generic claims 1 and 12, consideration of the species of claims 15-17 is respectfully requested.

In sections 8-12 of the Official Action, former claims 1-3 stand rejected under 35 USC §102 as being anticipated by Pain (WO 00/21280). In view of the inclusion of the allowable subject matter from claim 4 into independent claim 1, the rejection of claims 1-3 has been obviated.

In section 7 on page 4 of the Official Action, the Examiner objects to the title of the invention as not being descriptive. Applicants have substituted a newly written title “A PHOTODIODE DETECTOR AND ASSOCIATED READOUT CIRCUITRY.” However,

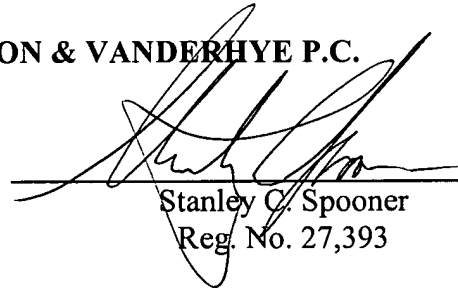
should the Examiner believe another title to be more indicative of the claimed invention,
Applicants will certainly consider any proposal.

Having responded to all objections and rejections set forth in the outstanding Official
Action, it is submitted that pending claims 1-3 and 5-17 are in condition for allowance and notice
to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief
telephone or personal interview will facilitate allowance of one or more of the above claims, he
is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

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